



07-27-06

1fw/ce  
B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Shuji Hahakura	Examiner:	Michelle Estrada
Serial No.:	10/536,694	Group Art Unit:	2823
Filed:	May 27, 2005	Docket:	040256-0137
Title:	SUPERCONDUCTOR AND METHOD OF PRODUCING THE SAME		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail (EV830404093US), with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313 on July 25, 2006.

By: \_\_\_\_\_

*Richard Ruggiero*  
Richard Ruggiero

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement
- ☒ Form SB08
- ☒ Copy of International Preliminary Report on Patentability
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No. 50-0872.

Date: July 25, 2006

FOLEY & LARDNER LLP  
2029 Century Park East  
35<sup>th</sup> Floor  
Los Angeles, CA 90067-3021  
1-310-277-2223 Office  
1-310-557-8475 Fax

By: \_\_\_\_\_


*Ted Rittmaster*  
Name: Ted Rittmaster  
Reg. No.: 32,933  
TRR/rsr



Atty. Dkt. No. 040256-0137

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shuji HAHAKURA et al.  
Title: SUPERCONDUCTOR AND  
METHOD OF PRODUCING  
THE SAME  
Appl. No.: 10/536,694  
International Filing Date: 08/06/2004  
371(c) Date: 5/27/2005  
Examiner: Estrada, Michelle  
Art Unit: 2823  
Confirmation Number: 2262

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV830404093US	July 25, 2006
(Express Mail Label Number)	(Date of Deposit)
Richard Ruggiero	
(Printed Name)	
	
(Signature)	

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

07/28/2006 HDESTA1 00000051 10536694

01 FC:1806

180.00 OP

LACA\_752562.1

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

### **STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

### **FEE**

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

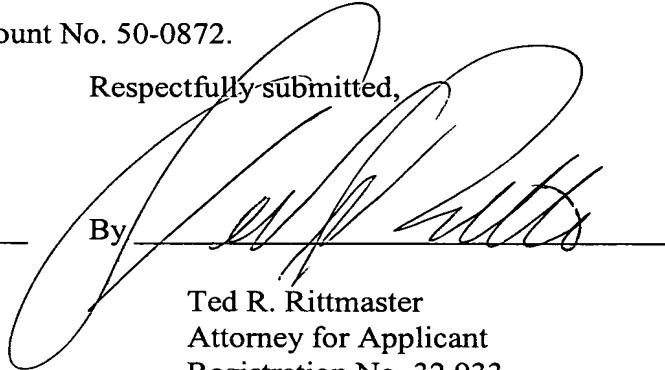
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date July 25, 2006

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (310) 975-7963  
Facsimile: (310) 557-8475

By

A large, stylized handwritten signature in black ink, appearing to read 'Ted R. Rittmaster', is written over a horizontal line.

Ted R. Rittmaster  
Attorney for Applicant  
Registration No. 32,933

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: July 25, 2006

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/536,694
Filing Date	May 27, 2005
First Named Inventor	Shuji Hahakura
Group Art Unit	2823
Examiner Name	Michelle Estrada
Attorney Docket Number	040256-0137

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A1	PCT International Preliminary Report on Patentability as issued in International Application Number PCT/JP2004/011679, Mailing date June 29, 2006.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.